



**US Army Corps
of Engineers**

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435
www.mvk.usace.army.mil



Public Notice

APPLICATION NO.:	ADS-MVK-2003-979
EVALUATOR:	Mr. Arel Simpson
PHONE NO.:	(601) 631-5996
FAX NO.:	(601) 631-5459
E-MAIL:	regulatory@mvk02.usace.army.mil
DATE:	April 28, 2005
EXPIRATION DATE:	May 19, 2005

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, and the Louisiana Department of Environmental Quality, Office of Environmental Services are considering an application for a Department of the Army permit and State water quality certification for the work described herein. A water quality certification is required in accordance with statutory authority contained in the LRS 30:2074 A(3) and provisions of the Clean Water Act. Comments should be forwarded to the Vicksburg District, Attention: CEMVK-OD-F, at the above address and the Louisiana Department of Environmental Quality, Office of Environmental Services, Post Office Box 4313, Baton Rouge, LA 70821-4313. The Louisiana Department of Environmental Quality has a copy of the application on file in their office in Baton Rouge and may be inspected at any time between 8:00 a.m. and 4:30 p.m. weekdays. Copies may be obtained from the Louisiana Department of Environmental Quality upon payment of cost of printing. The Louisiana Department of Environmental Quality will make a final decision on the water quality certification pertaining to this application within 30 days after expiration of this notice.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

Name of Applicant:

Mr. Jim Rowland
P.O. Box 1796
Columbia, Louisiana 71418

Location of Work: Sections 5, 29 and 32, T14N-R9E, latitude 32°08'57" North, longitude 91°34'22" West, within the Bayou Macon drainage basin, Franklin Parish, near Crowville, Louisiana.

Description of Work: (See enclosed map and drawings.)

The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for an after-the-fact Department of the Army permit for discharge of dredged and fill material associated with the construction of a green tree reservoir levee and resting pads within wetlands adjacent to Womble Brake. Womble Brake is under a conservation easement held by Ducks Unlimited. The reservoir is used to improve waterfowl habitat.

Project activities have impacted approximately 5.61 acres of jurisdictional wetlands in a bald cypress and tupelo gum brake.

Area landowners constructed a drainage ditch along the east side of Womble Brake to drain surface flow from croplands east of the brake. The material from the ditch excavation was deposited along the west side of the drainage ditch. The applicant leveled the excavated material and used the elevated surface as a logging access road.

Some additional fill material was required to construct the road. The additional fill material was excavated from 15 small borrow pits adjacent to the road and from non-wetlands sources.

The applicant constructed resting/feeding pads with on-site borrow material deposited within Womble Brake. The resting/feeding pads were constructed not to serve as a dam, but to allow water to flow around them, and provide an elevated resting place for waterfowl. The on-site borrow material was excavation material from the channelization of Boggy Bayou and Womble Brake flowing north to south.

A portion of Boggy Bayou had been impacted by farming operations, channelization, beaver dams, and the installation of a small culvert to serve as a water control structure. The applicant channelized part of Boggy Bayou and extended the channelization north into Womble Brake.

Approximately 4,000 cubic yards of on-site borrow material was excavated and deposited in wetlands to construct the logging access road and the resting/feeding pads for waterfowl.

Womble Brake water levels were controlled by a small corrugated culvert. The culvert has been replaced by a water control structure sliding gate. The water control structure now regulates the water levels within the brake.

The underbrush was cleared to allow for more sun light to reach the forest floor stimulating plant growth. During recent logging operations, the applicant dug up and piled several stumps. This activity was conducted to minimize damage to the six-foot wide tires on the Rologon Forwarder (a specialized log carrier) used to haul logs from the wetter sites to the logging deck.

Some on-site mitigation has been completed for impacts by the restoration of two stands of cutover forest. One portion of the restoration was accomplished by planting 96 acres of bald cypress and tupelo gum seedlings within a bald cypress-tupelo gum brake. Another portion of the restoration was accomplished by planting 23 acres of bottomland hardwood with red mulberry, common persimmon, overcup oak, nutall oak, and sugarberry.

The placement of dredged and/or fill material in waters of the United States associated with the mechanized land clearing and levee construction requires a Department of the Army Permit.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: An initial review indicates that the proposed project would not affect any of the sites in Franklin Parish listed in the National Register of Historic Places. Copies of this notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, the Corps archaeologists, and other interested parties for comment on potential effects to cultural resources that could result from this activity.

Endangered Species: Our initial finding is that the proposed work would not affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

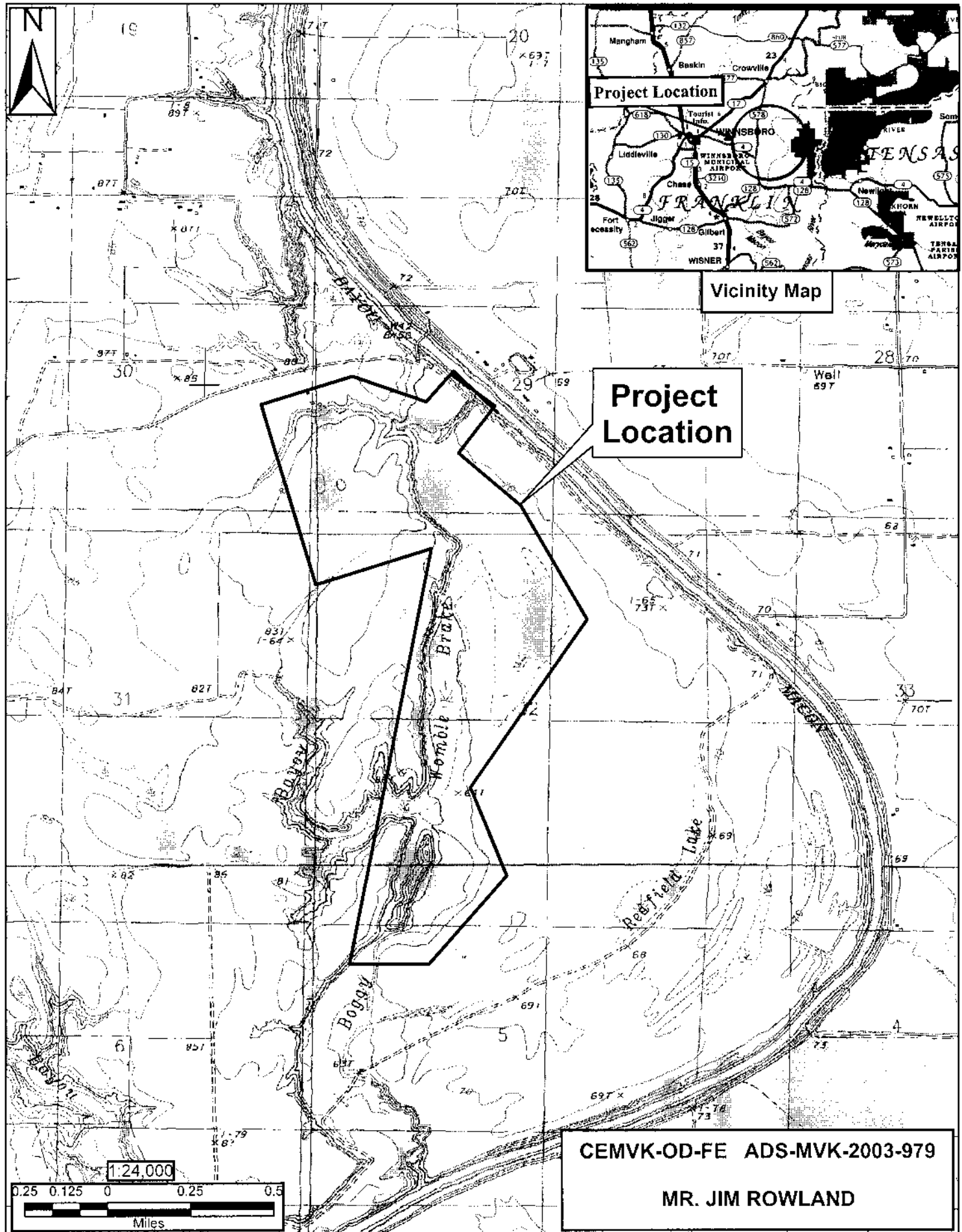
Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

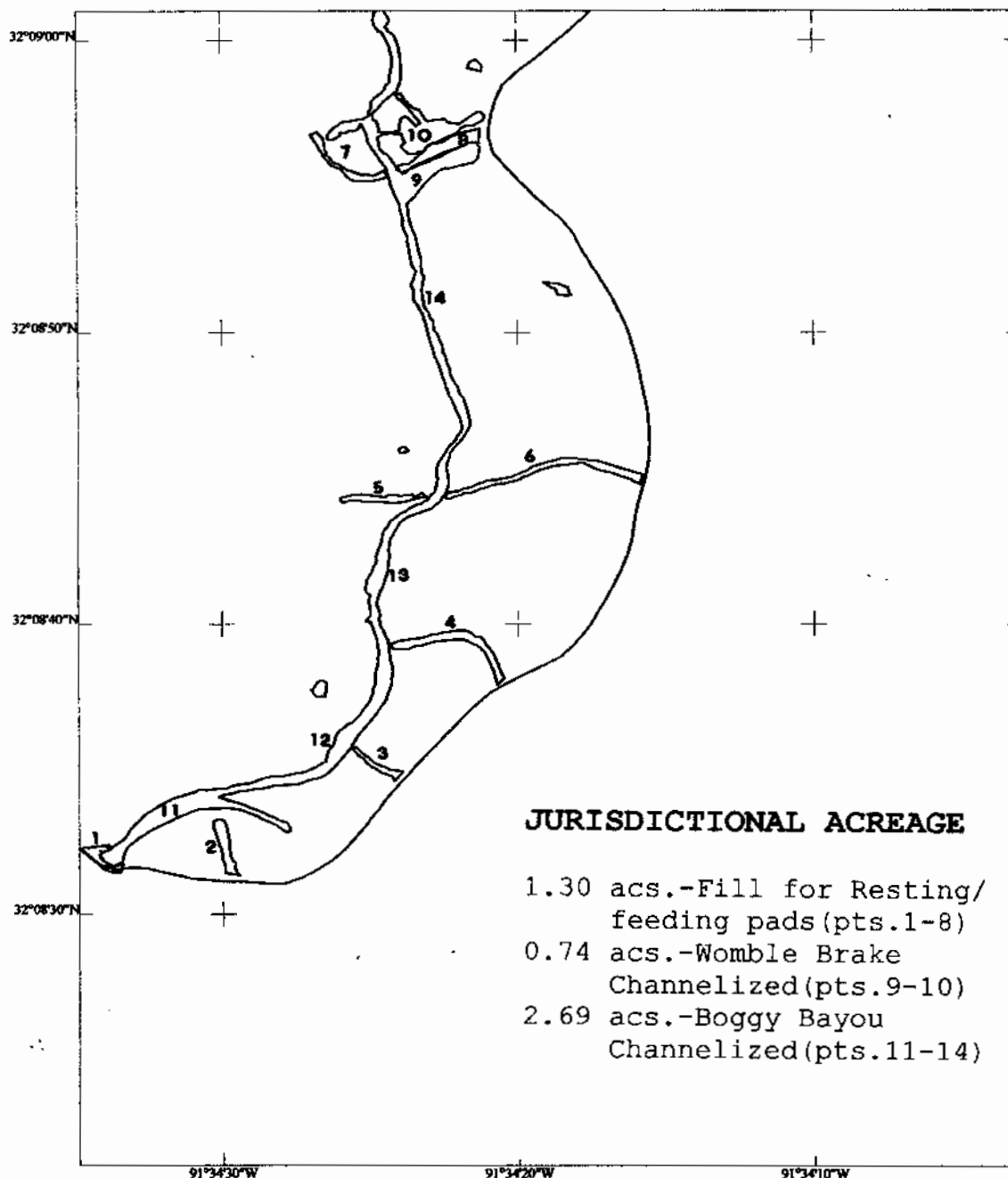
Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/offices/od/odf/main.asp>, or go directly to the Final Permit Actions web page at <http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp>.

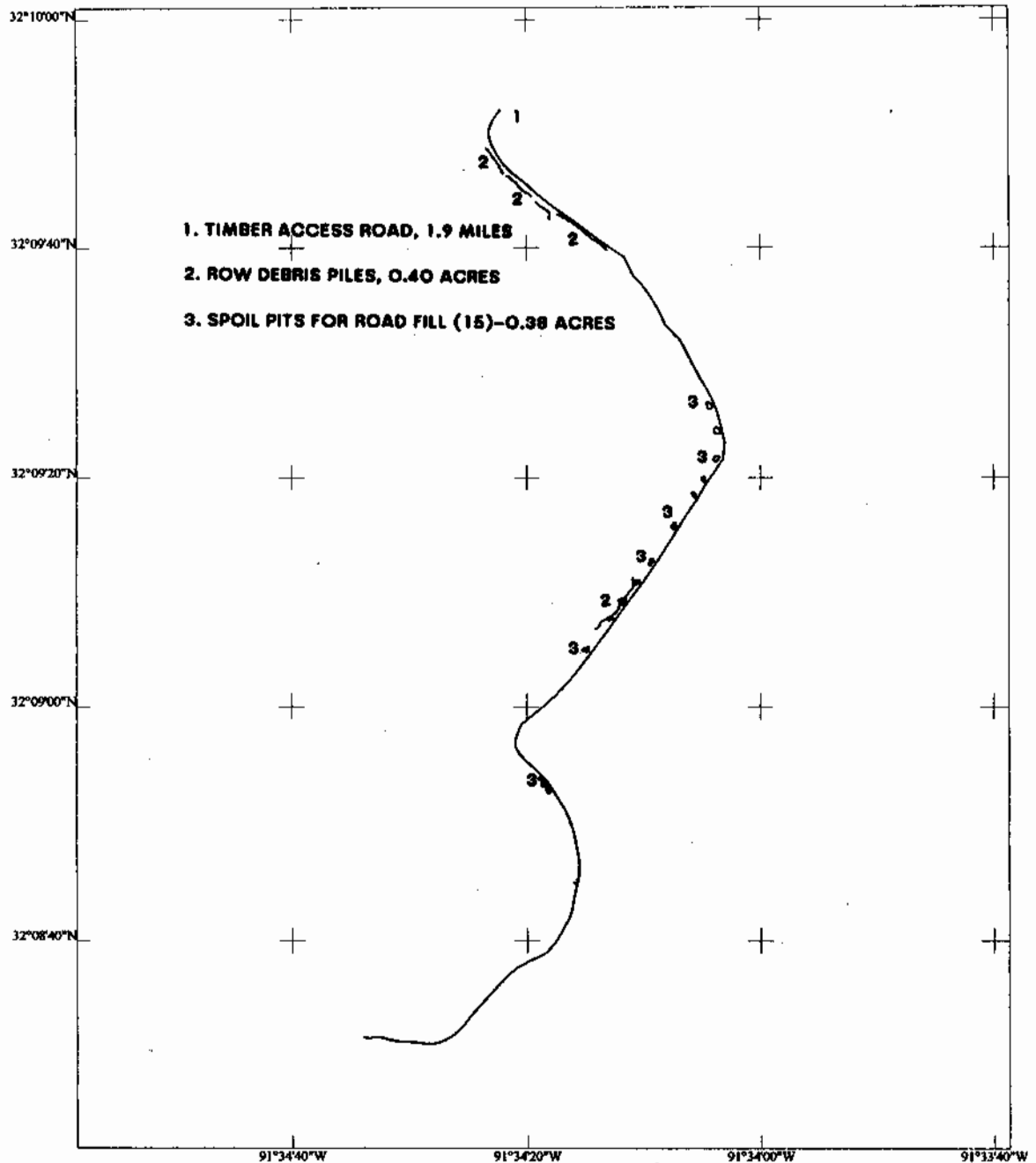
W. Harold Lee
Chief, Evaluation Section

WOMBLE BRAKE ENHANCEMENT





WOMBLE BRAKE, CUT AND FILL VALUES (LOWER SECTION)



ROWLAND TRACT - HARVESTING IMPACTS

Lat/Long
WGS 1984



Scale 1 in : 1,250 ft



Feet

combined.ssf

5/22/03

GPS Pathfinder



CEMVK-OD-FE ADS-MVK-2003-979

MR. JIM ROWLAND